

**UNITED STATES BANKRUPTCY COURT**  
**FOR THE DISTRICT OF Southern Indiana**  
**Minute Entry/Order**

**Hearing Information:**

**Debtor:** ITT EDUCATIONAL SERVICES, INC.  
**Case Number:** 16-07207-JMC-7A **Chapter:** 7  
**Date / Time / Room:** WEDNESDAY, NOVEMBER 07, 2018 01:30 PM IP 325  
**Bankruptcy Judge:** JAMES M. CARR  
**Courtroom Clerk:** HEATHER BUTLER  
**Reporter / ECR:** HEATHER BUTLER

**Matter:**

**ADV: 1-18-50100**

**Deborah Caruso vs Kevin Modany**

Continued Hearing on Motion for Stay Pending Withdrawal of Reference; Objection of Trustee [47], [54]

**R / M #:** 0 / 0

**Appearances:**

CARLY KESSLER, ATTORNEY FOR DEBORAH CARUSO  
THOMAS BERNDT, ATTORNEY FOR DEBORAH CARUSO  
JOHN C. HOARD, ATTORNEY FOR DEBORAH CARUSO  
JEFFREY A HOKANSON, ATTORNEY FOR KEVIN MODANY  
RACHEL MAUCERI, ATTORNEY FOR KEVIN MODANY  
ROBERT FULLER

**Proceedings:**

Disposition: Hearing held. Court takes motions to dismiss (docket nos. 64 and 67) under advisement pending a ruling from District Judge Sweeney on the motion to withdraw the reference (docket no. 44). Motion for stay pending such ruling from District Judge Sweeney is denied at this time without prejudice to defendants' right and ability to renew the motion if circumstances change.

**IF COUNSEL HAS BEEN DIRECTED BY THE COURT TO SUBMIT AN ORDER BASED ON THE COURT'S RULING OR THE PARTIES' AGREEMENT, THEN NO FURTHER NOTICE OR REMINDER WILL BE ISSUED. THE COURT WILL NOT KEEP A CASE OPEN SOLELY BECAUSE THE ORDER WAS NOT SUBMITTED WITHIN THE TIME PERIOD DIRECTED BY THE COURT. IN SUCH INSTANCE, A REOPENING FEE WILL APPLY.**